

**Service of Process
Transmittal**

09/10/2020

CT Log Number 538225368

TO: Kim Lundy Service Of Process
Walmart Inc.
702 SW 8TH ST
BENTONVILLE, AR 72716-6209

RE: Process Served in Indiana

FOR: Wal-Mart Stores East, LP (Domestic State: DE)

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: Ashley Linback, Pltff. vs. Wal-Mart Stores, Inc., et al., Dfts. // To: Wal-Mart Stores East, LP

DOCUMENT(S) SERVED: Summons, Certificate of Mailing, Complaint

COURT/AGENCY: Jasper Count Court, IN
Case # 37C012009CT000668

NATURE OF ACTION: Personal Injury - Slip/Trip and Fall - 09/16/2018

ON WHOM PROCESS WAS SERVED: C T Corporation System, Indianapolis, IN

DATE AND HOUR OF SERVICE: By Certified Mail on 09/10/2020 postmarked: "Illegible"

JURISDICTION SERVED : Indiana

APPEARANCE OR ANSWER DUE: Within twenty (20) days, commencing the day after you receive this Summons

ATTORNEY(S) / SENDER(S): Lance R. Worland
Caress Worland Law Group
5420 N. College Ave. Suite 100
Indianapolis, IN 46220
3172555400

ACTION ITEMS: CT has retained the current log, Retain Date: 09/10/2020, Expected Purge Date: 09/15/2020

Image SOP

Email Notification, Kim Lundy Service Of Process ctlawsuits@walmartlegal.com

SIGNED: C T Corporation System
ADDRESS: 1999 Bryan St Ste 900
Dallas, TX 75201-3140

For Questions: 877-564-7529
MajorAccountTeam2@wolterskluwer.com



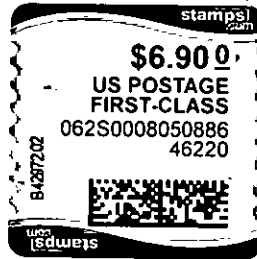
**CARESS ■
WORLAND**
law group

5420 N. College Ave., Suite 100 • Indianapolis, IN 46220

CERTIFIED MAIL®



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**Wal-Mart Stores East, LP
c/o CT Corporation System
334 North Senate Avenue
Indianapolis, IN 46204**

46204-170834



STATE OF INDIANA) IN THE JASPER COUNTY COURT
) SS:
 COUNTY OF JASPER) CAUSE NO.: **37C01-2009-CT-000668**

ASHLEY LINBACK,)
)
 Plaintiff,)
)
 v.)
)
 WAL-MART STORES, INC.,)
 WAL-MART REAL ESTATE)
 BUSINESS TRUST, AND)
 WAL-MART STORES EAST, LP,)
)
 Defendants.)

SUMMONS

TO DEFENDANT: Wal-Mart Stores East, LP
 c/o CT Corporation System
 334 North Senate Avenue
 Indianapolis, IN 46204

You are hereby notified that you have been sued by the persons named as Plaintiff and in the Court indicated above.

The nature of the suit against you is stated in the Complaint which is attached to this Summons. It also states the relief sought or the demand made against you by the Plaintiff.

An answer or other appropriate response in writing to the Complaint must be filed either by you or your attorney within twenty (20) days, commencing the day after you receive this Summons. (or twenty-three (23) days if this Summons was received by mail), or a judgment by default may be rendered against you for the relief demanded by the Plaintiff.

If you have a claim for relief against the Plaintiff arising from the same transaction or occurrence, you must assert it in your written answer.

Dated 9/8/2020

Kara Fishburn
 CLERK, Jasper County Superior Court

The following manner of service of Summons is hereby designated:

☒ Registered or Certified Mail
☐ Service on individual at above address: County
☐ Service on Agent: (specify)

Lance R. Worland #30919-49
CARESS WORLAND LAW GROUP
 5410 N. College Ave., Suite 100
 Indianapolis, Indiana 46220 Telephone: (317) 255-5400 Facsimile: (317) 255-5410
Lance@CaressLaw.com



CLERK'S CERTIFICATE OF MAILING

I hereby certify that on the ____ day of _____, 2020, I mailed a copy of this Summons and a copy of the Complaint to the Defendant _____ by _____ mail, requesting a return receipt, at the address furnished by the Plaintiff.

Dated _____

CLERK, Jasper County Superior Court

RETURN OF SERVICE OF SUMMONS BY MAIL

I hereby certify that the attached return receipt was received by me showing that the Summons and a copy of the Complaint mailed to the Defendant, was accepted on the ____ day of _____, 2020.

I hereby certify that the attached return receipt was received by me on the ____ day of _____, 2020, showing that the Summons and a copy of the Complaint was returned not accepted.

I hereby certify that the attached return receipt was received by me showing that the summons and a copy of the Complaint mailed to the Defendant, was accepted by _____ age ____ on behalf of said Defendant on the ____ day of _____, 2020.

CLERK, Jasper County Superior Court

SERVICE ACKNOWLEDGED

A copy of the within Summons and a copy of the Complaint attached thereto were received by me at _____

Dated _____

Signature of Defendant

RETURN OF SERVICE OF SUMMONS

I hereby certify that I have served the within Summons:

(1) By delivering a copy of the Summons and a copy of the Complaint to the Defendant on the ____ day of _____, 2020.

(2) By leaving a copy of the Summons and a copy of the Complaint:

a) at the dwelling place or usual place of abode of the Defendant.

b) with a person of suitable age and discretion residing therein, namely _____ and by mailing a copy of the Summons to the Defendant, by first class mail, to the address listed on the Summons, the last known address of the Defendant.

Sheriff of Jasper County, Indiana

By: _____

STATE OF INDIANA) IN THE JASPER COUNTY COURT
) SS:
COUNTY OF JASPER) CAUSE NO.: **37C01-2009-CT-000668**

ASHLEY LINBACK,)
)
 Plaintiff,)
)
 v.)
)
WAL-MART STORES, INC.,)
WAL-MART REAL ESTATE)
BUSINESS TRUST, AND)
WAL-MART STORES EAST, LP,)
)
 Defendants.)

COMPLAINT FOR DAMAGES

Comes now the Plaintiff, Ashley Linback, by counsel, and for her Complaint for Damages against the Defendants, Wal-Mart Stores, Inc., Wal-Mart Real Estate Business Trust, and Wal-Mart Stores East, LP, alleges and says that:

1. At all times pertinent hereto, the Defendant, Wal-Mart Stores, Inc. ("Wal-Mart"), was a corporation organized under the laws of the State of Delaware with its principal place of business located at 702 SW 8th Street, Bentonville, Arkansas. Wal-Mart Stores, Inc. is authorized to, and does, do business in the State of Indiana.

2. At all times mentioned herein, all acts and omissions of Wal-Mart were performed or omitted by and through employees, agents, and/or representatives of Wal-Mart while they were acting within the course and scope of their employment with Wal-Mart.

3. At all times pertinent hereto, the Defendant, Wal-Mart Real Estate Business Trust ("Wal-Mart REB"), was an entity of unknown organizational form that is authorized to, and does, do business in the State of Indiana.

4. At all times mentioned herein, all acts and omissions of Wal-Mart REB were performed or omitted by and through employees, agents, and/or representatives of Wal-Mart REB while they were acting within the course and scope of their employment with Wal-Mart REB.

5. At all times pertinent hereto, the Defendant, Wal-Mart Stores East, LP ("Wal-Mart East"), was a limited partnership organized under the laws of the State of Delaware with its principal place of business located at 702 SW 8th Street, Bentonville, Arkansas. Wal-Mart East is authorized to, and does, do business in the State of Indiana.

6. At all times mentioned herein, all acts and omissions of Wal-Mart East were performed or omitted by and through employees, agents, and/or representatives of Wal-Mart East while they were acting within the course and scope of their employment with Wal-Mart East.

7. At all times mentioned herein, there existed in Indianapolis, Indiana, a store known as Wal-Mart which is and was located at 905 S. College Avenue, Rensselaer, Indiana, 47978. This Wal-Mart was owned, operated, and/or managed by the Defendants.

8. On September 16, 2018, the Plaintiff was walking down an aisle near the pharmacy in the aforementioned Wal-Mart when she slipped on a hazardous and/or dangerous accumulation of liquid on the ground, causing her to fall and sustain injuries and damages.

9. The injuries sustained by the Plaintiff were proximately caused by the carelessness and negligence of the Defendants, including, but not limited to, one or more of the following acts and/or omissions:

- a. Defendants carelessly and negligently caused and/or created the dangerous condition existing on its premises;
- b. Defendants carelessly and negligently failed to maintain its premises in a safe condition for use by its invitees, including Plaintiff;

- c. Defendants carelessly and negligently failed to inspect and/or discover the dangerous condition existing on the premises;
- d. Defendants carelessly and negligently failed to remedy the existing dangerous condition on the premises when the Defendants knew or should have known of the existence of the same;
- e. Defendants carelessly and negligently failed to remedy the existing dangerous condition on the premises when the Defendants expected or should have expected that its invitees, including the Plaintiff, would not discover or would fail to protect themselves against the same; and
- f. Defendants carelessly and negligently failed to warn the Plaintiff of the dangerous condition when said Defendants knew or should have known of the same.

10. As a direct and proximate result of the carelessness and negligence of the Defendants, the Plaintiff sustained personal injuries, which have caused her to experience pain and suffering.

11. As a result of her injuries and their effects upon her, the Plaintiff, in order to attempt to treat her injuries and lessen her physical pain, has been required to engage the services of physicians and healthcare providers for medical treatment and has thereby incurred medical expenses; further, she will likely require additional medical treatment in the future for which she will incur additional medical expenses.

12. As a result of the injuries sustained in this incident, the Plaintiff has missed time from work and has therefore incurred a loss of wages and/or earnings.

13. As a direct and proximate result of the Defendants' negligence, the Plaintiff has been damaged.

WHEREFORE, the Plaintiff, Ashley Linback, prays for judgment against the Defendants, Wal-Mart Stores, Inc., Wal-Mart Real Estate Business Trust, and Wal-Mart Stores East, LP, in an amount commensurate with her injuries and damages, for costs of this action, and for all other just and proper relief.

Respectfully Submitted,

Caress Worland Law Group

By: /s/ Lance R. Worland

Lance R. Worland, #30919-49

Attorney for Plaintiff

Lance R. Worland
CARESS WORLAND LAW GROUP
5420 N. College Ave., Suite 100
Indianapolis, Indiana 46220
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